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In re application of

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The petitioner, Micron Technology, Inc., a corporation of the State of Delaware, having a principal place of business at 8000 South Federal Way, Boise, ID 83707-0006, represents that it is the assignee, as recorded on reel 010210, frame 0585, of the entire right, title, and interest in and to United States Patent No. 6,368,540, and is also the assignee of the entire right, title, and interest in and to the above-identified application Serial No. 10/092,186.

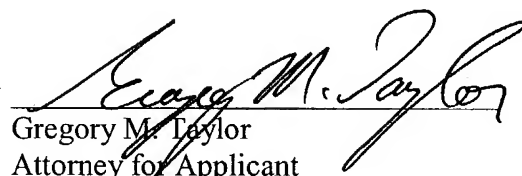
Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application Serial No. 10/092,186 which would extend beyond the expiration date of United

States Patent No. 6,368,540, and hereby agrees that any patent so granted on the above-identified application Serial No. 10/092,186 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,368,540, this agreement to run with any patent granted on the above-identified application Serial No. 10/092,186 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application Serial No. 10/092,186 or any continuation application thereof prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,368,540 in the event that said United States Patent No. 6,368,540 later: expires for failure to pay maintenance fees, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Dated this 14th day of June 2004.

By



Gregory M. Taylor
Attorney for Applicant
Registration No. 34,263
Customer No. 022901